
REPORT TO:	FULL COUNCIL	AGENDA ITEM: 8
DATE OF MEETING:	19 JANUARY 2022	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	FRANK McARDLE CHIEF EXECUTIVE (EXT. 5702)	DOC:
SUBJECT:	LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – ANNUAL REVIEW LETTER 2022 AND LGSCO UPDATE	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 To accept the Local Government and Social Care Ombudsman's Annual Review Letter 2022.

2.0 Purpose of Report

- 2.1 This report will provide Members with a summary of complaints made to the Local Government and Social Care Ombudsman ("LGSCO") against this Authority during the year 2021/22.
- 2.2 It will also provide an update on developments in the Local Government and Social Care Ombudsman service.

3.0 Detail

- 3.1 On 20th July 2022, the Council received the Annual Review Letter for the period 2021/22 and a summary of statistics on complaints.
- 3.2 The Ombudsman's Office made decisions on 6 complaints about this Council in 2021/22. Of these complaints, 5 were closed after initial enquiries and 1 complaint was referred back for local resolution.
- 3.3 The LGSCO does not give detailed information about the statistics and, therefore, in order to provide some background information for Members, the Council's Ombudsman Link Officer has produced a table of complaint decisions, which is attached at **Annexe 'A'**. This gives a breakdown of the type of complaints received and a summary of the decisions.

LGSCO Developments

Complaint statistics

- 3.4 This year, the Ombudsman service continues to place the focus on outcomes of complaints and what can be learned from them. It wants to provide the most insightful information it can and therefore has made several changes over recent years to improve the data captured and reported. The statistics are focused on the following three key areas:
- 3.5 Complaints upheld – Complaints are upheld when some form of fault is found in the authority’s actions, including where the authority has accepted fault before an investigation is commenced. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.
- 3.6 Compliance with recommendations – The Ombudsman recommends ways for authorities to put things right when faults have caused injustice. The recommendations try to put people back in the position they were before the fault, and the Ombudsman monitors authorities to ensure they comply with the recommendations. Failure to comply is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning. In the 12 months to 31st March 2022, no recommendations were made to this Authority.
- 3.7 Satisfactory remedies provided by the Authority – The Ombudsman wants to encourage early resolution of complaints and credit authorities that have a positive and open approach to resolving complaints. Cases are recognised where an authority has taken steps to put things right before the complaint came to them.
- 3.8 The LGSCO compares the three key annual statistics for the Authority with similar types of authorities to work out an average level of performance. They do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils and London Boroughs. Further information on this Council’s performance can be found at: <https://www.lgo.org.uk/your-councils-performance/south-derbyshire-district-council/statistics>
- 3.9 Supporting complaint and service improvement - The Ombudsman, Michael King, has commented on the period of adaptation that the Council has been through as restrictions imposed by the pandemic have been lifted. The Ombudsman commented that while some pre-pandemic practices have returned, new ways of working are here to stay. As a result, the Council are urged to consider how complaints are prioritised, particularly, in terms of capacity and visibility. It is the Ombudsman’s view that complaint functions have been under-resourced in recent years, something which has been exacerbated by the pandemic.
- 3.10 The LGSCO are working to develop a joint handling code in partnership with the Housing Ombudsman Service with the intention of consolidating and simplifying guidance given.

4.0 Financial Implications

- 4.1 None directly arising from this report.

5.0 Corporate Implications

- 5.1 A good complaints system is an opportunity for the Council to show that it cares about providing a good service, and that it genuinely values feedback on whether there are any problems which need attention. It is, therefore, imperative that we get feedback, not only through our own complaints system, but also from the Ombudsman, and that

this information is widely distributed to show that this Authority takes complaints seriously and deals with them sympathetically.

6.0 Community Implications

6.1 One of the roles of the Local Government and Social Care Ombudsman is to investigate complaints about Councils from members of the public. Its aim is to get Councils to put things right if they have gone wrong and if this has affected members of the public directly.

7.0 Conclusion

7.1 The Annual Review Letter and the publishing of complaint statistics on the LGSCO website are useful additions to other information held by the Council, highlighting how people experience or perceive its services. They should also be seen as an opportunity to continue to improve the services offered by the Council.

8.0 Background Papers

Annual Review Letter 2022 from the Local Government and Social Care Ombudsman